

**ORDINANCE 0-06-1579**

**AN ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS  
AMENDING CHAPTER 25, ARTICLE V REGARDING  
WATER SERVICE AND WATER CONSERVATION  
PROVIDING FOR RESTRICTIONS ON DAILY IRRIGATION;  
DECLARING AN EMERGENCY; AND PROVIDING FOR AN  
EFFECTIVE DATE**

There currently exists a drought situation in North Texas, which drought threatens the availability of a continuous and reliable potable water supply; and

The City of Grapevine has been asked by the Trinity River Authority to adopt drought contingency provisions in order to better manage the precious resource of potable water; and

In the absence of this Ordinance, the City of Grapevine may not be able to adequately protect its potable water supply, to ensure its availability for both regular and emergency consumption; and

All legal prerequisites for the passage of this Ordinance have been met, including, but not limited to, the requirements of the Texas Open Meetings Act and the City Charter; and

The current drought situation and the inadequate regulations to respond to such a drought represent an emergency pursuant to the City Charter; and

City Council has found that the passage of this Ordinance serves the best interests of the health, safety, and welfare of the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF GRAPEVINE, TEXAS:**

Section 2. Chapter 25, Article V, Drought Contingency Plan, of the Code of Ordinances is hereby amended with the addition of the following:

**“Sec. 25-147. LAWN AND LANDSCAPE  
IRRIGATION AND WATER CONSERVATION**

**Lawn and Landscape Irrigation Restrictions.**

- (a) Irrigation or watering of any lawn or landscape is prohibited between the hours of 10:00 am and 6:00 pm at all times throughout the year.

- (b) Except for hand watering and the use of soaker hoses, a person commits an offense if that person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by that person between the hours of 10:00 a.m. and 6:00 p.m. at any time during the year.
- (c) A person commits an offense if he knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased or managed by the person in a manner that causes:
  - (1) a substantial amount of water to fall upon impervious areas instead of a lawn or landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or
  - (2) an irrigation system or other lawn or landscape watering device to operate during any form of precipitation.
- (d) A person commits an offense if, on premises owned, leased, or managed by that person, he operates a lawn or landscape irrigation system or device that:
  - (1) has any broken or missing sprinkler head; or
  - (2) has not been properly maintained in a manner that prevents the waste of water.
- (e) The City Manager or his designee may mandate a two (2) day per week watering schedule based on the following watering zones.
  - (1) Zone “A” – North of the Cottonbelt Railroad Corridor – Tuesday and Friday
  - (2) Zone “B” – South of the Cottonbelt Railroad Corridor – Wednesday and Saturday

**Sec. 25-148. Rain and Freeze Sensing Devices**

- (a) Any commercial or industrial customer class irrigation system installed within the City on or after August 1, 2006, must be equipped with rain and freeze sensors.

- (b) Any commercial or industrial customer class irrigation system installed before August 1, 2006, may not be operated after August 1, 2007, without being equipped with rain and freeze sensors.
- (c) The potable water supply to lawn irrigation systems shall be protected against backflow in accordance with the City's Backflow and Cross-connection Control Program. Backflow and Cross-connection devices are required to be inspected and tested in accordance with schedules consistent with the requirements of the 2003 International Plumbing Code.
- (d) Any residential customer class irrigation system installed within the city on or after August 1, 2006, must be equipped with rain and freeze sensors.

**Sec. 25-149. Variances**

- (a) The City Manager or his designee may grant variances from the provisions of this Article provided that:
  - (1) The applicant signs a compliance agreement form provided by the City Manager or his designee, agreeing to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.
  - (2) Granting of a variance does not cause an immediate significant reduction in the City's water supply.
  - (3) The extreme hardship or need requiring the variance relates to the health, safety, or welfare of the person requesting it.
  - (4) The health, safety, or welfare of other persons is not adversely affected by granting the variance.
- (b) The City Manager or his designee may revoke a variance granted when the City Manager determines that:
  - (1) the conditions of subsection (a) are not being met or are no longer applicable,

- (2) the terms of the compliance agreement are being violated; or the health, safety, of welfare of other persons requires revocation.

(c) Exemptions

- (1) The City Manager or his designee may grant exemptions to:
  - (a) private water wells used for irrigation after a visual inspection by the City
  - (b) newly installed lawns or landscapes for up to six weeks

Section 3. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 4. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto to any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. The fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace, and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance become effective from and after the date of its passage and it is accordingly so ordained.

Section 6. This ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

PASSED AND ADOPTED this the 18th day of July, 2006.